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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON

10 EMILY M. AGUILERA,
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12 Plaintiff,

13 vs.

14 MICHAEL J. ASTRUE,
15 Commissioner of Social Security,

16 Defendant.

Civil No. C08-5337JKA

ORDER FOR REMAND

17 Based upon the stipulation of the parties, it is hereby ORDERED that the above-captioned
18 case be remanded to the Commissioner of Social Security for further administrative proceedings,
19 further development of the record, a new hearing and a new decision. On remand, the ALJ will:
20 1) evaluate and rule on Plaintiff's work activity at all times since the alleged onset date of
21 disability; 2) if necessary, address the opinion of Robert Schneider, Ph.D. and provide a rationale
22 for the weight assigned to it; 3) if necessary re-evaluate the opinions of the lay witness statements
23 including the opinions of Allan Volman, Brent Francisco, and Jamie Lane in accordance with SSR
24 06-3p; 4) if necessary, re-evaluate Plaintiff's credibility pursuant to SSR 96-7p; 5) if necessary,
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1 re-evaluate the medical opinions of record 6) if necessary, re-evaluate Plaintiff's residual
2 functional capacity pursuant to SSR 96-8p; 7) upon the expanded record, if necessary, obtain
3 supplemental evidence from a vocational expert to clarify the effect of the assessed limitations on
4 the occupational base; and 8) obtain the testimony of a medical expert to help determine whether
5 Plaintiff's drug and alcohol abuse is a material factor to any disability.
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7 Plaintiff may present new arguments and evidence. The ALJ may perform further
8 development and conduct further proceedings as necessary.
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10 This case is reversed and remanded pursuant to sentence four of 43 U.S.C. § 405(g).
11 Upon proper presentation, this Court will consider Plaintiff's application for costs, expenses and
12 attorney's fees under the Equal Access to Justice Act, 28 U.S.C. § 2412(a),(d)

13 DATED this 17th day of November, 2008.
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16 /s/ J. Kelley Arnold
UNITED STATES MAGISTRATE JUDGE
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18 Presented by:
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